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CBS, WESTMORELAND SEEK CIA DOCUMENTS IN LIBEL CASE
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WASHINGTON

Attorneys for both CBS and retired Gen. William Westmoreland told a federal judge Monday that release of two CIA reports is critical to them in Westmoreland's \$120 million libel suit against the network.

U.S. District Judge Thomas P. Jackson took the requests under advisement and will rule later.

The hearing was part of the pretrial maneuvering in Westmoreland's suit, which alleged he was libeled by a 1982 CBS documentary entitled, "The Uncounted Enemy: A Vietnam Deception."

The documentary alleged that Westmoreland, commander of U.S. forces in Vietnam during the 1960s, conspired with others to falsify intelligence estimates of enemy troop strength in a campaign to win American support for the U.S. combat role.

CBS lawyers have said that papers submitted recently to the court support the authenticity of the network's show.

Both sides are seeking a number of documents to buttress their cases, including a report by the CIA's inspector general reviewing U.S. intelligence and another CIA-authorized document detailing the agency's history during part of the Vietnam War period.

"It is of critical importance to us that we have the best historical record," CBS attorney David Boies told Jackson.

Kathleen McGinn, Westmoreland's attorney, also told the judge the reports were necessary to support the retired general's case, and said their "release under these circumstances would in no way harm the American intelligence community."

William Briggs of the U.S. attorney's office, representing the CIA, urged Jackson to refuse the request.

If the CIA "can't assure confidentiality in its reports, that will harm future reports" which seek to review agency actions, Briggs said.

Although much of the pretrial motions are taking place in Washington, the trial itself has been moved to New York. No trial date has been set.